

## CITY OF LYNN

Andrew J. Hall, P.E.  
Commissioner



Lisa J. Nerich  
Associate Commissioner

## DEPARTMENT OF PUBLIC WORKS

(781) 268-8000 • Fax (781) 477-7074

250 Commercial Street  
Lynn, Massachusetts 01905

1. **Applicant Identification:** Mayor's Office, City of Lynn, 3 City Hall Square, Lynn, MA 01901.
2. **Funding Requested:**
  - a. **Grant Type:** Single Site Cleanup
  - b. **Federal Funds Requested:** \$300,000
  - c. **Contamination:** Petroleum
3. **Location:** Lynn, Essex County, Massachusetts
4. **Property Information:** 90 Commercial Street, Lynn, Massachusetts 01905
5. **Contacts:**
  - a. Project Director: Andrew Hall, P.E., Commissioner, Lynn Department of Public Works, Lynn, MA 01905. Mr. Hall can be reached via telephone at (781) 268-8000 or email [ahall@lynnma.gov](mailto:ahall@lynnma.gov).
  - b. Chief Executive/Highest Ranking Elected Official: The responsible Chief Executive is Mayor Thomas M. McGee, Lynn City Hall, 3 City Hall Square, Room 306, Lynn, Massachusetts 01901. Mayor McGee may be reached at (781) 598-4000 or by email [Thomas.McGee@lynnma.gov](mailto:Thomas.McGee@lynnma.gov).
6. **Population:** 90,329
7. **Other Factors Checklist**

Other Factors	Page #
Community population is 10,000 or less.	
The applicant is, or will assist, a federally recognized Indian tribe or United States territory.	
The priority brownfield site(s) is impacted by mine-scarred land.	
Secured firm leveraging commitment ties directly to the project and will facilitate completion of the project/redevelopment; secured resource is identified in the Narrative and substantiated in the attached documentation.	3
The priority site(s) is adjacent to a body of water (i.e., the border of the priority site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	
The priority site(s) is in a federally designated flood plain.	1
The reuse of the proposed cleanup site will facilitate renewable energy from wind, solar, or geothermal energy; or any energy efficiency improvement measures.	



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

# Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Kathleen A. Theoharides  
Secretary

Martin Suuberg  
Commissioner

November 15, 2019

U.S. EPA New England  
Attn: Frank Gardner  
5 Post Office Square, Suite 100  
Boston, MA 02109-3912

**RE: STATE LETTER OF ACKNOWLEDGMENT**

***Brownfield Cleanup Grant Funding, Commercial Street (Lynn Assessors' Map 52, Lot 742-33), Lynn, Massachusetts***

Dear Mr. Gardner:

I am writing to support the proposal submitted by the City of Lynn (City) under the Fiscal Year 2020 U.S. Environmental Protection Agency (EPA) Brownfield Cleanup Grant Program. Funding from the EPA will allow the City to complete cleanup of the property where documented contamination has occurred from historical uses. Under an existing EPA assessment grant, assessment activities revealed the presence of six underground storage tanks (USTs) at the property. The City plans to complete remediation on a portion of the property and redevelop it as a pump station to address flooding issues.

On January 23, 2015, Governor Baker signed his first Executive Order, creating the Community Compact Cabinet, in order to elevate the Administration's partnerships with cities and towns across the Commonwealth. Lieutenant Governor Polito chairs the cabinet, which concentrates financial, technical, and other resources at the state level to a select group of projects, including Brownfields. The City's compact was signed on January 24, 2017, ensuring any funding provided by EPA will be supported by a focused commitment of state resources.

We greatly appreciate EPA's continued support of Brownfield efforts here in Massachusetts.

Sincerely,

Paul Locke  
Assistant Commissioner, Bureau of Waste Site Cleanup

cc: Tracey Costa, LSP, Ransom Consulting, Inc.  
Joanne Fagan, Brownfields Coordinator, MassDEP-NERO

**This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.**

**TTY# MassRelay Service 1-800-439-2370**

MassDEP Website: [www.mass.gov/dep](http://www.mass.gov/dep)

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## **1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION (50 points)**

### **1.a. Target Area and Brownfields (15 points)**

#### **1.a.i. Background and Description of Target Area (5 points)**

The 10-acre target area is located within ½ mile of the Waterfront in Lynn, Massachusetts in Essex County and approximately 8 miles north of Boston on the Atlantic coast. Historically, the target area was occupied by a brickyard and shoe, box, and wheel factories, surrounded by congested residences that housed the industry workers. Lynn is a Massachusetts “**Gateway City**”, which offered good jobs and “gateway” to the American Dream, but now suffers from the loss of manufacturing jobs over several decades. ***The target area is located within a FEMA Special Flood Hazard Area with ongoing flooding issues***, with a potential to spread Brownfields site contaminants throughout the community and to the Waterfront and Lynn Harbor, located ½ mile south/southeast of the Site. The target area is at sea level, which makes it susceptible to flooding, displacing and inflicting harm and hardship to numerous businesses and residents. Low income rental tenants and underinsured homeowners are crippled by mold-infested homes, due to flooding. The target area is also hampered by close to 20 Brownfields sites that contribute to blight, crime, and decreased morale. Our population in the target area is **56% minority**<sup>1</sup>, including an influx of refugees, with a poverty rate that exceeds city, state and national averages, further burdened by low education rates, exacerbating environmental justice (EJ) challenges. A high population of children, elderly, minority, linguistically-isolated and low-income residents live in the target area, many of whom do not own vehicles and rely on public transportation. The target area is also surrounded by barriers to walking and biking. One of the Brownfields sites in the target area is the former **Gas and Auto Service Station site** located on the southwest corner of Neptune Blvd. Park and McManus Field. The densely populated target area includes four schools, a MBTA<sup>2</sup> commuter rail line, clustered, aging residences, distressed and abandoned properties and shuttered businesses, and mixed commercial/industrial use. The target area is located within an **Opportunity-Zone**<sup>3</sup>, to drive tax-advantaged private investment.

#### **1.a.ii. Description of the Brownfield Site (10 points)**

The 15,000 square foot (SF) **Gas and Auto Service Station site** (“Site”) on Commercial Street is located at a busy intersection and within 50 feet of an active commuter rail line and located within a **FEMA Special Flood Hazard Area**. The Site operated as a gasoline station and automotive service station from the 1930s to the 1970s. The City redeveloped the Site in the late 1970s as the southwestern portion of a 9-acre Neptune Blvd. Park and McManus Field public park. Three recreational fields in this public park are used by the abutting Lynn Vocational Technical High School students and are frequented by adults and children in the target area. A release of petroleum was discovered at the Site by the City in 2016, triggering a Massachusetts Contingency Plan (MCP)<sup>4</sup> reporting condition and is listed by the Massachusetts Department of Environmental Protection (MassDEP) as a petroleum release site under Release Tracking Number (RTN) 3-34079. There is evidence of Volatile Petroleum Hydrocarbon (VPH) and Extractable Petroleum Hydrocarbon (EPH) contaminant impacts to soil at depths ranging from 2 to 6 feet below ground surface (bgs) and within the groundwater table, based on the results of sampling and laboratory analysis performed by the City in 2016. A geophysical survey conducted in 2018 under an EPA Community-Wide Assessment revealed **six abandoned underground storage tanks (USTs)**. The USTs are the likely the source of petroleum contamination that has not been cleaned up. The petroleum plume can spread in groundwater and under nearby homes and area schools and accumulate in indoor air. If not cleaned up, children and adults that frequent the

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<sup>1</sup> Census Tract 207200 in Essex County, Massachusetts

<sup>2</sup> The Massachusetts Bay Transit Authority (MBTA) commuter rail runs from Lynn to Boston, Massachusetts

<sup>3</sup> The U.S Treasury designated Lynn as an Opportunity Zone in May 2018

<sup>4</sup> The Massachusetts Contingency Plan is the state’s environmental regulation that provides for the protection of health, safety, public welfare and the environment by establishing requirements and procedures for the activities and cleanup of oil or hazardous materials

park and recreation area, along with city workers, will be exposed to petroleum contamination. ***Flooding is a real concern in the target area***-On August 12, 2018, close to 8 inches of rain fell and caused extreme flooding of streets, homes and businesses. Since the Site is ***located within a FEMA Special Flood Hazard Area***, flooding can cause petroleum contamination to upwell at the Site and expose the vocational students, park visitors and workers; migrate to surrounding homes and 4 schools; and contaminate stormwater flows to the Waterfront and Lynn Harbor. Fill has been historically used in the in the target area and is likely to contain hazardous materials.. Furthermore, there is a likelihood that former buildings at the Site and target area were demolished “in place”, which is prevalent in Lynn, with a potential of lead, asbestos and PCBs in buried construction & demolition (C&D) debris. The number of state-listed release sites in the City is 508<sup>5</sup> and includes 19 known release sites in the target area.

### **1.b. Revitalization of the Target Area (20 points)**

**1.b.i. Reuse Strategy and Alignment with Revitalization Plans (10 points):** The City intends to clean up the Site to construct a pump house to alleviate the flooding in the target area. *“The area will see significant relief,” said Daniel O’Neill, Lynn Water and Sewer Commission executive director. “The wastewater treatment plant can’t handle an 8-inch rain flow. It leaves water on the lowest part of the city, (near) Bennett and Commercial (streets)..Once completed, it would manage up to 114 million gallons of stormwater a day and be reserved for “crazy storms” similar to the deluges that caused widespread flooding and structural damage in Lynn in August and September, according to O’Neill<sup>6</sup>.* The proposed pump house is part of a combined sewer outflow (CSO) project which will include 15 miles of new piping, commencing in 2021. Due to climate change and surging tides, it would be difficult to get the stormwater out through the CSO system by gravity. The pump house and CSO improvement are part of the City’s long-term goals of the **Waterfront Master Plan** and **Municipal Harbor Plan**, including increased connectivity and climate resiliency. In addition to flood relief, the planned CSO project would have separate sewer and rainwater systems to prevent improper discharge into the ocean and other bodies of water, to meet state and federal regulatory compliance, including the Massachusetts and EPA Clean Water Acts. Brickyard Village, which consists of 28 affordable rental units that was financed in part by more than \$1.1M in U.S. Dept, of Housing and Urban Development (HUD) in HOME funding. The project offers various housing types and unit sizes. The project spans over three sites, which encompasses over 15 parcels that were assembled over a period of time; some of these vacant parcels were the result of Urban Renewal. In January 2005, the city of Lynn was honored by HUD as one of the 15 local governments nationwide for outstanding work in affordable housing and was awarded the inaugural HOME Doorknocker Award for Brickyard Village. Improved transportation in the target area is needed-In early 2019, the MBTA Focus40<sup>7</sup> Plan identified Lynn as a priority place to target potential improvements to public transportation. The (MBTA) **Lynn Transit Action Plan** will identify strategies for faster, more reliable transit services and improvements to bus, subway, ferry, and commuter rail service-Without the pump house, ongoing flooding could significantly undermine residential and commercial buildings in the target area and the abutting MBTA commuter rail line infrastructure. Over 8 acres of the existing park will be maintained and accessible throughout Site reconstruction. The 22,000-SF pump house requires replication of the same square footage of recreational space in another part of the City. The City’s **Open Space Master Plan** strives to create a connected open space such as *Neptune Blvd. Park and McManus Field* with access and amenities to residents while planning for climate resiliency and new development. The proposed *Lynn Bike and Pedestrian Network* also aims to connect the target area to the Downtown and Waterfront. Public input

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<sup>5</sup> MassDEP Bureau of Waste Site Cleanup

<sup>6</sup> Lynn Daily Item (newspaper), May 12, 2019

<sup>7</sup> Focus40 is the 25-year investment plan to position the Massachusetts Bay Rail Authority (MBTA) to meet the needs of the Greater Boston region in 2040.

and “informed consensus” have been accomplished by public workshops, dedicated websites, interactive maps for collecting feedback, and social media pages.

**1.b.ii. Outcomes and Benefits of Reuse Strategy (10 points):** **Flooding mitigation in the target area is paramount** for the City’s planned reuse efforts. Cleanup of contamination will prevent the threat of migration of petroleum contamination to surrounding residences, schools, and commercial properties in the target area, which can be exacerbated by flooding and threaten indoor air, underground utilities, basements, residents and workers, students, and to Lynn Harbor. Alleviation of mold in residences will result in improved health and welfare. The pump house will lower the water table and protect the structural integrity of buildings in the target area, resulting in decreased costs and increased property value for property owners. Flooding mitigation is imperative to reduce threats to the abutting MBTA commuter rail infrastructure and to maintain MBTA support for transportation improvements, providing access to residents to Boston for higher-paying jobs and linking the target area to the Downtown and Waterfront. The improved CSO infrastructure will alleviate threats of flooding to the Waterfront development initiative, currently underway, and contributes to climate resiliency for new development. Preservation of 8 acres of park and replication of greenspace in the City will support the health and well-being of the poor, minority and sensitive populations in the target area, especially residences living in rental and subsidized housing with no yards or recreation access. The *Lynn Bike and Pedestrian Network* will improve recreational opportunities and connect the target area outwards, connecting residents to local institutions, and allows children to bike safely to school. Since the Site is located within an **Opportunity Zone**, the City expects to link capital investment to human capital investment for low income residents and encourage investment and cleanup of Brownfields sites. We expect renewed interest in shuttered businesses, resulting in local job opportunities and reduction in crime.

**1c. Strategy for Leveraging Resources (15 points)**

**1.c.i. Resources needed for Site Reuse (10 points):** The City will issue a municipal bond to construct the pump house/CSO infrastructure improvement project. As a **Massachusetts Gateway City**, Lynn has access to MassWorks Infrastructure Program grants and Urban Revitalization Development Grants. We are designated by the state as an Economic Target Area (ETA) and Economically Distressed Area (EDA)<sup>8</sup>, which provides eligibility for MassDevelopment<sup>9</sup> Brownfields Assessment and Cleanup grants, along with support to the City on preparing a Request for Proposal (RFP) for the Site, and low-interest financing and tax credits to developers. The City is a CDBG<sup>10</sup> Entitlement Community, which is an additional resource for the proposed reuse, along with rehabilitation of target area homes and businesses damaged by flooding. Over the last 5 years, The City’s CDBG funds leveraged over \$7M in private financing, to support affordable housing development. The City can tap into its MassDOT Chapter 90 transportation funding, to support infrastructure improvements. We can offer Tax Increment financing (TIF) as a subsidy for redevelopment, infrastructure and community improvement. The City is a participant in the Commonwealth's Economic Development Incentive Program (EDIP), designed to provide relief from local property taxes and encourage new investment by providing a 5% state tax credit for developers.

**1.c.ii. Use of Existing Infrastructure (5 points):** The target area is connected to public water, CSO, along with electric, natural gas, and communications (i.e., cable, high-internet, fiber optics). The majority of these utilities in the target area are located underground, which provides additional security and reduction in potential outages during storm events. New development is anticipated to utilize and improve existing infrastructure, along with upgrading stormwater discharges by implementing green

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<sup>8</sup> The EDA and ETA designations are due to the loss of jobs and business closures over the last 40 years,

<sup>9</sup> MassDevelopment is the state’s finance and development agency

<sup>10</sup> Community Development Block Grant funding may be used for construction of public facilities and infrastructure improvements and rehab of residential and non-residential structures.

stormwater infrastructure (GSI)<sup>11</sup>. The City will promote energy efficiency and sustainability for all new development, as exemplified in the City's wind turbine in the target area. Enhancements of infrastructure includes walkable connections to existing amenities, including the MBTA commuter rail line and to link new activity (bike/walking paths, bus lines) to existing assets in Lynn and Boston.

## **2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT (35 Points)**

### **2.a. Community Need (20 points)**

#### **2.a.i. The Community's Need for Funding (5 points)**

The target area includes a high number of low-income, multifamily rentals, subsidized housing, and homeless populations, which rely on dwindling City services and resources. However, the City continues to face a financial crisis and has needed to borrow state funds to balance its annual budget. For FY20, the budget deficit has been projected at \$5 million. In FY'20 and annually for 10 years, the City will have to pay back \$1.25 million on the loan, which will accrue interest. Property owners do not qualify for FEMA assistance and unable to afford sump pumps to remedy flooding in their buildings. The General Electric (GE) plant, located directly north of target area, continues to downsize its operations in Lynn, eliminating of 13,000 jobs since 1985, which had had a profound impact on the community. Closure of the 90-year old Garelick Farm Dairy plant in 2018 resulted in a loss of 300 jobs. Shaws Supermarket closed its doors, which impacted over 100 workers. *Tax revenue is anticipated to increase with proposed reuse initiatives, along new job and workforce training opportunities.*

#### **2.a.i.i. Threats to Sensitive Populations (15 points)**

**(1) Health or Welfare of Sensitive Populations (5 points):** In addition to a large refugee population, minorities (Black, Hispanic) in the target area comprise 56% of the population<sup>12</sup> and linguistic isolation in the target area exceeds the 90<sup>th</sup> percentile<sup>13</sup>. *A renewed focus on EJ concerns is being addressed as part of the revitalization, through community outreach by the City and non-profit organizations, along with establishing ongoing dialogue with developers and stakeholders.* Crime is an ongoing struggle in the community-In 2017, the City had the 2<sup>nd</sup> highest number of opioid related deaths and the Massachusetts Department of Public Health (DPH) indicates intravenous drug users in Lynn that are admitted to DPH funded treatment programs are almost double the state rate and alcohol and other drug related hospital charges exceed the state rate by over 25%. *Crime will be decreased by increasing visibility; Rehabilitation of distressed and abandoned buildings (culprits for drug use) and revenue to support the hiring of additional police.*

**(2) Greater Than Normal Incidence of Disease and Adverse Health Conditions (5 pts):** There is evidence of heightened levels of disease in the community. According to the Massachusetts Department of Public Health (DPH) Bureau of Environmental Health<sup>14</sup>, rates of colorectal cancer, liver and intrahepatic bile duct cancers, lung and bronchus cancers are statistically significantly greater than expected and the Standardized Incidence Ratio (SIR) for laryngeal cancer, leukemia, multiple myeloma, Non-Hodgkin lymphoma, oral and pharyngeal cancers, stomach cancer, for males and females in Lynn is 15-50% above expected. Asthma emergency room visits and hospital admissions<sup>15</sup> dramatically exceed state rates. From 2011-2015, emergency hospital room visits for Chronic Obstructive Pulmonary Disease (COPD) were statistically significantly higher than expected.<sup>16</sup> Lynn is considered a High Risk Community for Childhood Lead Poisoning.<sup>17</sup>

<sup>11</sup> GSI is proven, *sustainable* flood-prevention strategy

<sup>12</sup> Census Block Group 207200-2 in Essex County, Massachusetts

<sup>13</sup> EPA EJSCREEN

<sup>14</sup> Mass. DPH Bureau of Environmental Health, Massachusetts Environmental Public Health Tracking for years 2009-2013

<sup>15</sup> Mass. DPH Bureau of Environmental Health, Massachusetts Environmental Public Health Tracking for years 2011-2015

<sup>16</sup> Mass. DPH, Environmental Public Health Tracking

<sup>17</sup> Mass. DPH, Childhood Lead Poisoning Prevention Program, 2013-2017

*Suspect Brownfields contaminants in the target area associated with its industrial and commercial are carcinogenic, including petroleum hydrocarbon constituents). The Brownfields Cleanup and pump station will mitigate contaminant exposures. New affordable housing, along with the rehabilitation of aging housing, will mitigate health exposures and access to recreation will improve health. DPH records indicate the prevalence rate of HIV/AIDS in Lynn exceeds the state<sup>18</sup>. From 1994 to 2015, Lynn Community Health Care Center (LCHC) experienced dramatic growth in the number of total health center patient visits from 62,000 to 252,000 visits. Since 2006, LCHC has consistently seen over 400 new patients every month. Revenue from the revitalization effort will increase funding to support services in the target area.*

**(3) Disproportionately Impacted Populations (5 points):** The median household income in the target area is \$15,737<sup>19</sup>, far below the state (\$67,846<sup>20</sup>) and national (\$57,652<sup>21</sup>) incomes- families living in poverty is 31%, exceeding state (8%) and national (12%) percentages. The Latino population reports the lowest level of income and represents the largest percent of the population with less than a high school diploma<sup>22</sup> and is the highest minority population (44%) in the target area, followed by Black (17%) and Asian (7%) populations, reflecting EJ concerns. Renter-occupied housing in the target area (74%) exceeds city (52.6%), state (41.6%), and national (25.9%) rates and owner-occupied housing in the target area (25%) is much lower than city (47.4%) state (56.1%) and national (56.3%) percentages<sup>23</sup>. Children under age 5 (14.63%) in the target area exceed state (5.49%) and national (6.36%) rates and elderly populations in the target area (15.42%) also exceed state (14.4%) and national (13.74%) rates<sup>24</sup>. Linguistically isolated populations are in the 90-95<sup>th</sup> percentile<sup>25</sup>.

### **2.b. Community Engagement (15 points)**

**2.b.i. Project Partners (5 points):** **Lynn Community Health Center** is a non-profit, multicultural, community health center, with a School-Based Health Center program satellite clinic at the nearby Lynn Vocational School. Its mission is to provide comprehensive health care, regardless of the ability to pay. Over 90% of the health center's patients live at or below 200% of the federal poverty level, and over 50% are best served in a language other than English. **Greater Lynn Senior Services (GLSS)** is a non-profit organization dedicated to building healthy and more livable communities, where critical home and community-based services and supports are fully accessible to older adults, people living with disabilities, and their caregivers. The **Massachusetts Water and Resource Authority (MWRA)** is a Massachusetts public authority established by an act of the Legislature in 1984 to provide wholesale water and sewer service. **MassDevelopment**, the state's finance and development agency, offers financing and real estate solutions to support companies and nonprofits, increase housing, eliminate blight, and drive economic growth in the state, including Brownfields funding.

**2.b.i. Project Partner Roles (5 points):** Working with our municipal partners (*including Water and Sewer Commission, Parks and Recreation, EDIC Lynn, Lynn Public Schools, Health Department, Greater Lynn Senior Services*) we will foster community engagement and integrate reuse plans with our project partners. These partners have been selected based on their ongoing commitment to the target area and their missions are well-aligned with the goals of the EPA's Brownfields Program and the City's revitalization strategies.

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<sup>18</sup> The HIV/AIDs prevalence rate in Lynn on 1/1/17 was 500.4 per thousand, compared to 317.6 per thousand (state)

<sup>19</sup> Census Block Group 207200-2 in Essex County, Massachusetts

<sup>20</sup> Census 2010-2014

<sup>21</sup> U.S Census Bureau 2013-2017

<sup>22</sup> Creating Community Health and Wellbeing in Lynn. A Community Health Needs Assessment and Plan. NextShift Collaborative. 2016.

<sup>23</sup> Census Tract 207200 in Essex County, Massachusetts (2010-2014)

<sup>24</sup> Census Tract 207200 in Essex County, Massachusetts (2010-2014)

<sup>25</sup> EPA EJSCREEN



<b>Lynn Community Health Center:</b> John Flick, Director of Operations, (781) 581-3900 <i>Assist in presenting and conducting health-related monitoring and education for public meetings</i>
<b>Greater Lynn Senior Services:</b> Paul T. Crowley, Executive Director; (781) 599-0110 <i>Engagement with elderly to ensure needs are met and provide office space</i>
<b>NSLBA:</b> Frances Martinez, Director, (781) 596-8300; <a href="mailto:nslatinobusinessasso@comcast.net">nslatinobusinessasso@comcast.net</a> <i>Input on the needs of the Latino population; Provide translation services.</i>
<b>MWRA:</b> Frederick Laskey, Executive Director; (617) 242-6000 <i>Provide infrastructure support for reuse</i>
<b>MassDevelopment:</b> Eleni Varitimos, VP; (978) 459-6100; <a href="mailto:evaritimos@Massdevelopment.com">evaritimos@Massdevelopment.com</a> <i>Brownfields Assessment/Cleanup funding; Developer financing; Tax credits; Developer RFPs</i>

2.b.i.i.i. Incorporating Community Input (5 points)

The City has held extensive community engagement through all of its planning initiatives and will implement effective strategies to ensure that the community is informed, engaged and provided with opportunities for input and addressing their concerns (1) Harness the reach of Project partners as “boots on the ground” and to utilize their resources (i.e., website, social media, staff) to broaden our reach. (2) Conduct neighborhood door-to-door outreach and conduct meetings at area schools and organizations that are accessible and “less intimidating” than City Hall and provide translators. (3) Develop and distribute multilingual brochures (both printed and electronic). (4) Educate the community on health impacts associated with the Site and avoiding contaminants (5) Use City and Project partner websites for project details notices, surveys, fact sheets, and advertise opportunities for public engagement (6) Using Social media (i.e., Facebook, Twitter) to foster two-way communication. (7) Host informational booths at community, governmental and cultural events in the target area (i.e., farmer’s market, arts festivals, food festivals, concerts, City meetings).

**3. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS**

**3.a. Proposed Cleanup Plan (10 points):** Cleanup will be conducted in accordance with the state environmental cleanup regulation, the Massachusetts Contingency Plan (MCP)<sup>26</sup> under the management of the City’s selected Qualified Environmental Professional (QEP) and performed by licensed contractors. Cleanup plans will be discussed and integrated in the Community Relations Plan (CRP). The cleanup plan will incorporate EPA Principles for Greener Cleanups. A Release Abatement Measure (RAM) Plan by the selected QEP’s Massachusetts Licensed Site Professional (LSP)<sup>27</sup>, outlining the proposed cleanup plan and status reports will be prepared. Subsequent to the completion of cleanup activities, a Permanent Solution Statement (PSS) will be prepared, which will include a human health risk characterization, to assess risks for unrestricted Site usage. All local, state and federal permits will be obtained prior to the implementation of cleanup activities. Construction fencing, equipped with a gate and filter fabric, will be installed and maintained during cleanup activities. A Health & Safety Plan will be prepared, prior to the implementation of cleanup activities, and all Site personnel will be properly licensed and/or certified to perform and oversee cleanup activities, including OSHA HAZWOPER certifications. Erosion and sedimentation controls will be installed. Dust and odor suppression measures will be implemented. UST removal will be conducted, including the management of containerized waste. Field-screening of soils for volatile organic compounds (VOCs) during excavation will be conducted using a photoionization detector (PID). Soil excavation will include dewatering. Treated groundwater will be discharged pursuant to municipal, state and/or federal

<sup>26</sup> The Massachusetts Contingency Plan is the state’s environmental regulation that provides for the protection of health, safety, public welfare and the environment by establishing requirements and procedures for the activities and cleanup of oil or hazardous materials.

<sup>27</sup> In 1993, Massachusetts created a model program that privatized the cleanup of hazardous waste sites in the Commonwealth. **Licensed Site Professionals (LSPs)** are authorized by the Commonwealth to work on behalf of property owners, operators, and other responsible parties to oversee the assessment and cleanup of contamination that has been released into the environment. LSPs are scientists, engineers, and public health specialists with significant professional expertise in oil and hazardous material contamination. LSPs are governed by the Massachusetts Board of Registration of Hazardous Waste Site Cleanup Professionals, also known as the LSP Board.



requirements. Up to 700 tons of contaminated soils are anticipated to be excavated. Post-excavation soil sampling will be conducted, which will include the collection of soil samples for laboratory analysis of VPH and EPH, which are the petroleum analytes recommended by MassDEP to characterize risks posed by the release of petroleum products to the environment<sup>28</sup>. Additional sampling will be conducted for total lead (to assess leaded gasoline) and ethylene dibromide (EDB), a gasoline additive. Site restoration will include the backfilling of the Site with clean fill, which will be sampled and submitted for laboratory analysis of petroleum constituents and disposal characteristics, prior to backfilling, to ensure that backfill materials are not contaminated. Two groundwater remedial performance monitoring events will be conducted for the same analytes, using EPA low flow/low stress methods.

### **3.b. Description of Tasks/Activities and Outputs (25 points)**

**3.b.i. Project Implementation (10 points): Task 1: Cooperative Agreement Oversight:** The City will establish a Brownfields Committee comprised of local elected officials, business community, community organizations, economic development authority and stakeholders (*cost share*). MassDEP and EPA Brownfields staff will be invited to sit on the Committee. The City will prepare a Request for Proposal (RFP) and review responses to the RFP, conduct interviews and select a Qualified Environmental Professional (QEP) and Cleanup contractor (*cost share*). We will also perform program management and communication with regulatory personnel, community officials and the public. EPA ACRES reporting will be conducted throughout the duration of the project.

**Task 2: Community Engagement:** With *EPA funding and cost share contribution*, we will hold a series of quarterly public meetings to engage local stakeholders about the cleanup and proposed redevelopment. We will prepare public outreach materials and conduct extensive outreach and communication with residents and businesses prior to undertaking the cleanup/abatement efforts, during remediation, and following the successful completion of remediation. A Community Relations Plan (CRP) will be prepared.

**Task 3: Cleanup:** *Using EPA funding*, the cleanup oversight will be conducted by the City's QEP and cleanup will be conducted by licensed contractors. The details of the cleanup will be outlined in the Proposed Cleanup Plan and attached Draft ABCA. *The City will contribute to the cleanup to meet the cost share contribution.*

**Task 4: Reporting and Reuse Planning:** The QEP will prepare the required MassDEP reports for the site, as outlined in the Proposed Cleanup Plan and attached Draft ABCA, *using EPA funding*.

**3.b.i.i. Anticipated Project Schedule (5 points):** The City will strive to complete the Cleanup within a 24-month duration to align with the pump house and CSO construction schedule.

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<sup>28</sup> Characterizing Risks Posed by Petroleum Contaminated Sites: Implementation of the MADEP VPH/EPH Approach. Final Policy. Oct. 31, 2002

FY'20 EPA Brownfields Petroleum Cleanup Grant Application  
**Gas and Auto Service Station Site, Brickyard Village, Lynn, MA**

Schedule of Activities in 3-Year Period		Year 1				Year 2				Year 3			
		1	2	3	4	5	6	7	8	9	10	11	12
<b>1</b>	Establish BF Committee	•											
	Issue RFP/Select QEP	•											
	Issue RFP/Select Cleanup Contractor			•									
	EPA reporting	•	•	•	•	•	•	•	•				
	BF Committee meetings	•	•	•	•	•	•	•	•				
<b>2</b>	Community Relations Plan	•											
	Public meetings	•	•	•	•	•	•	•	•				
<b>3</b>	Bid Specifications		•										
	Cleanup				•	•							
	Groundwater Performance Monitoring					•		•					
<b>4</b>	Draft ABCA Public Meeting	•											
	Finalize ABCA		•										
	RAM Plan		•										
	RAM Status Reports				•	•							
	Permanent Solution Statement							•					
	Reuse Planning		•		•	•		•					

**3.b.i.i.i. Task/Activity Lead (5 points):** The Lynn Department of Public Works (DPW) Commissioner will serve as the Lead for Task 1-Cooperative Agreement Oversight, with support from the Brownfields Committee, QEP, Assessors Dept., and legal counsel. DPW and the Mayor's Office will lead Task 2-Community Engagement, with support from our Project partners, Health Dept. and QEP, including the use of translators. For Task 3-DPW will direct our QEP, which will include an LSP, for execution of Task 3, report preparation, and interpretation of federal and state regulatory requirements. DPW and the Mayor's Office will provide direction to City staff for implementation support. DPW will lead Task 4-Reporting and Reuse Planning. and obtain support from our QEP on reporting and support from the LWSC on reuse. **3.b.iv. Outputs (5 points):** Outputs include quarterly ACRES quarterly reports, Draft and Final ABCAs, CRP, state regulatory reports; community engagement program; reuse plan.

**3.c. Cost Estimates (20 points)**

Budget Categories	Project Tasks				
	Task 1 Coop. Agreement Oversight	Task 2 Community Engagement	Task 3 Cleanup	Task 4 Reporting and Reuse Planning	Total
Personnel	\$2,500	\$2,500	\$2,500	\$2,500	<b>\$10,000</b>
Fringe Benefits*					
Travel	\$2,000				<b>\$2,000</b>
Equipment					
Supplies					
Contractual	\$1,700	\$1,700	\$264,600	\$20,000	<b>\$288,000</b>
Other					
<b>Total Federal Funding</b>	<b>\$6,200</b>	<b>\$4,200</b>	<b>\$267,100</b>	<b>\$22,500</b>	<b>\$300,000</b>
Cost Share (20% of requested federal funds)	\$2,500	\$2,500	\$52,500	\$2,500	<b>\$60,000</b>

*\*Fringe Benefits are included in Personnel costs line item*

**Task 1 Budget:** 50 staff hours (\$50/hr.) and \$1,700 QEP support; Travel is for one EPA Brownfields conference (i.e., est. \$2K conference for airfare, hotel, per diem, and expenses). *The cost share is anticipated to be \$2,500 for this task.* **Task 2 Budget:** 50 staff hours (\$50/hr.) and \$1,700 QEP support. *The cost share is anticipated to be \$2,500 for this task.* **Task 3 Budget:** 50 staff hours (\$50/hr.) and \$264,600 in Contractor support. QEP support is estimated at support (oversight, sampling and lab analysis and equipment) and Cleanup contractor, addressing UST removal. *The cost share is anticipated to be \$52,500 for this task.*

**Task 4 Budget:** 50 staff hours (\$50/hr.) and \$20K QEP support (reports). *The cost share is anticipated to be \$2,500 for this task.*

Outputs to be completed within the 3-year period of performance include establishment of Committee RFP, Contract with QEP and Cleanup Contractor; Active community engagement program that fosters two-way communication. Project schedules and milestones for activities from cleanup and reuse planning. Meetings, presentations, and materials, including multilingual documents, posters, flyers; Documents and reports, including: QAPP, CRP, ABCA, RAM Plan and Status Report(s). Cleanup data to assess potential risk to human health and/or the environment. A remediated site that achieves a “Permanent Solution” in compliance with MassDEP regulations and plan for site redevelopment. The City anticipates the fulfillment of the cost share through staff labor (i.e., meetings, community outreach, QEP/Contractor management). There are underground irrigation lines in the park which will require removal prior to the cleanup and replacement as part of the restoration, which will be performed by the City and applied to the cost share. Dewatering discharge and permitting will be applied to the cost share. The City will also apply personnel, heavy equipment, processing of buried C&D debris, installation of clean fill (backfill) and grass seed/turf for Site restoration.

**3.d. Measuring Environmental Results (5 pts):** Our anticipated outputs from the Brownfields Program are technical and quantitative reports that will provide the City with the next steps to move the site forward. We will also measure the success of public engagement by requesting our community partners to help us measure the qualitative and quantitative outcomes of community engagement. We will also measure project success beyond the completion of the Brownfields cleanup program by increases in tax revenue, number of jobs and decrease in crime. The Site will be brought into state compliance and attract developer interest for redevelopment. We will also measure the success of public engagement by requesting our community partners to help us measure the qualitative and quantitative outcomes of community engagement. We will also measure project success beyond the completion of the Brownfields Assessment program by increases in tax revenue, number of jobs, decrease in crime and redevelopment; prepare quarterly reports; and update ACRES to document site progress. The Site will achieve regulatory closure, paving the way towards redevelopment.

#### **4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE (25 points)**

##### **4.a. Programmatic Capability (15 points)**

This grant will be managed through the DPW Commissioner’s office and led by Andrew Hall, DPW Commissioner, with support from City departments all prepared to manage the EPA Brownfields Cleanup Grant project. Andrew brings over 23 years of public sector experience and routinely collaborates with City departments on projects throughout the city. Steven Babbitt, Chairman of Lynn Parks Commission and Lisa Nerich, Associate Commissioner of Lynn Parks and Recreation will provide support on park infrastructure and activities schedule. Michael Bertino, Chief Financial Officer, has over 20 years of finance experience in municipal, banking and corporate roles. His office will manage the grant budget and expenditures and will ensure all invoices are paid to grantees within 30 days, and that all back-up documentation is on file to support expenditures of state and federal funds.

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**Gas and Auto Service Station Site, Brickyard Village, Lynn, MA**

His department is routinely monitored, reviewed and approved annually by independent auditors. The Lynn Public Schools Superintendent, Patrick Tutwiler, will provide support on redevelopment. EDIC Lynn is currently managing an EPA FY'17 Brownfields Community-Wide Assessment Grant and Cleanup Grant and will provide ongoing support to the City and DPW Commissioner throughout the duration of the Brownfield Program. William Bochnak (EDIC Lynn) has over 17 years of public sector experience and has managed numerous Brownfields Assessment and Cleanup projects throughout the city. In the event of DPW staff turnover, EDIC Lynn would become responsible for ongoing compliance/completion for the duration of the Grant period. We will seek support from municipal staff, city, state and federal agencies, and the private sector to support our Brownfields program. We will seek support from NJIT<sup>29</sup> for stakeholder workshops. Metropolitan Area Planning Council (MAPC) can provide urban and redevelopment planning support. City Fire, Police, and Health Dept. will provide safety, security and health support and the City Engineer to address infrastructure needs. Additional state agency support includes MSBA<sup>30</sup>, DHCD<sup>31</sup>, Mass. Dept. of Veterans Services, DPH, State Police, Dept. of Transportation and federal agencies include HUD and Veterans Affairs.

**4.b. Past Performance and Accomplishments (10 points)**

**4.b.i. Currently Has or Previously Received an EPA Brownfields Grant (10 points)**

**(1) Accomplishments (5 points):**

EDIC Lynn<sup>32</sup> and the City was awarded a \$200K Regional Brownfields Assessment Pilot in 1997 and Brownfields Supplemental Assistance Funding (\$150K) in 2000, to target the Tapley Building and the TDC waterfront landfill site, and a Brownfields Cleanup Revolving Loan Fund (RLF) Pilot (\$450K) in 1999. The EPA Brownfields funding provided the opportunity to conduct assessment, cleanup planning and community outreach, which ultimately spurred successful redevelopment in the target area. Accomplishments included assessment and cleanup of portions of the Waterfront, including improvements to the seawall, parking, and the construction of a new ferry terminal to Boston. The former Empire Laundry site was remediated and redeveloped into a single-family home reuse project that resulted in 6 new homes and contributed to the redevelopment of the Marshall's Wharf. Additionally, new construction of our Lynn Vocational Technical Institute *in the target area* was accomplished, which educates low income students in the trades industries in Lynn. The cleanup of abandoned Lynn Waterworks site was developed into low-income housing.

**(2) Compliance with Grant Requirements (5 points):** The City and EDIC Lynn received an EPA Brownfield Hazardous Substances Assessment Grants (\$200K in 1997 and \$150K in 2000, both under Grant number BP99116001) to conduct assessments on the abandoned Tapley Building in the Waterfront and the former Empire Laundry site in the Downtown. In 1999, the City was awarded an RLF pilot (Cooperative Agreement # BL98108601) for \$93,926. Under the previous grants, we complied with quarterly ACRES reporting requirements, including financial and progress reports and all monies have been expended. It is noted that some of the grant monies were not expended within the allotted timeline by a prior Project Manager. Since the hiring of new Brownfields Project Managers, the City has established an improved management and program tracking to ensure that grants are expended within the grant period.

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<sup>29</sup> New Jersey Institute of Technology provides Technical Assistance for Brownfields Communities Program for EPA Region 1

<sup>30</sup> Massachusetts School Building Authority

<sup>31</sup> Massachusetts Dept. of Housing and Economic Development

<sup>32</sup> The Economic Development & Industrial Corporation of Lynn (EDIC/Lynn) is a non-profit corporation established under a state mandate in 1977 that functions as the City of Lynn's development bank.

## **Attachment A**

### **Documentation of Secured Leveraged Resources**

## INFORMATIONAL ALERT

HIDE ALERTS ▼

## Public Health Alert

Vaping Emergency: Learn about the temporary ban and public health emergency for vape products *Sep. 25th, 2019, 3:39 pm* [Read more](#) ▶

**Mass.gov**

# Chapter 90 apportionment

Chapter 90 distribution chart for fiscal year 2020 (ordered by city/town).

City/Town	Highway District	Miles 2018	Population 2010	Employment 2018	Amount
ABINGTON	5	60.31	15,985	4,206	\$387,695
ACTON	3	112.6	21,924	9,814	\$696,681
ACUSHNET	5	59.47	10,303	1,550	\$316,724
ADAMS	1	54.04	8,485	1,837	\$287,324
AGAWAM	2	122.31	28,438	12,057	\$802,780
ALFORD	1	17.38	494	25	\$71,454
AMESBURY	4	59.99	16,283	4,946	\$397,137

City/Town	Highway District	Miles 2018	Population 2010	Employment 2018	Amount
LITTLETON	3	62.7	8,924	7,807	\$394,825
LONGMEADOW	2	84.21	15,784	4,072	\$478,362
LOWELL	4	188.16	106,519	39,083	\$1,878,020
LUDLOW	2	122.97	21,103	6,826	\$696,635
LUNENBURG	3	81.76	10,086	2,564	\$414,649
LYNN	4	160.26	90,329	24,858	\$1,497,035
LYNNFIELD	4	67.95	11,596	5,875	\$409,482
MALDEN	4	94.36	59,450	13,627	\$909,329
MANCHESTER	4	22.9	5,136	1,619	\$141,539
MANSFIELD	5	114.84	23,184	12,020	\$739,639
MARBLEHEAD	4	68.63	19,808	5,237	\$456,809
MARION	5	28.65	4,907	2,325	\$170,974
MARLBOROUGH	3	134	38,499	31,710	\$1,145,697
MARSHFIELD	5	131.95	25,132	6,325	\$751,478
MASHPEE	5	114.2	14,006	5,320	\$599,277
MATTAPOISETT	5	42.97	6,045	1,990	\$230,290
MAYNARD	3	40.99	10,106	3,542	\$266,790



## **Attachment B.**

### **Threshold Criteria Response**

## **THRESHOLD CRITERIA FOR CLEANUP GRANTS**

### **1. Applicant Eligibility**

The City of Lynn, Massachusetts is eligible to apply for an EPA Brownfields Assessment grant because it is a General Purpose Unit of Government.

### **2. Previously Awarded Cleanup Grants**

The Site has not received funding from a previously awarded an EPA Brownfields Cleanup Grant.

### **3. Site Ownership**

The City of Lynn is the sole owner of the Site.

### **4. Basic Site Information**

- a) **Name of Site:** Gasoline and Service Station Site
- b) **Address:** 90 Commercial Street Lynn, MA 01905
- c) **Owner:** The City of Lynn is the current owner of the Site

### **5. Status and History of Contamination at Site**

- a) The Site is contaminated by petroleum

- b.) Operation history and current use of the Site:

The Site operated as a gasoline station and automotive service station from the 1930s to the 1970s. The City redeveloped the Site in the late 1970s as the southwestern portion of the 9-acre acre Neptune Blvd. Park and McManus Field.

- c.) Environmental concerns at the site

A release of petroleum was discovered at the Site in 2016, based on the results of soil and groundwater assessment activities. The release triggered a Massachusetts Contingency Plan (MCP)<sup>1</sup> reporting condition and is listed by the Massachusetts Department of Environmental Protection (MassDEP) as a petroleum release site and assigned Release Tracking Number (RTN) 3-34079.

- (d ) How the site became contaminated and the nature and extent of contamination

Based on the results of a geophysical survey conducted in 2018, **six abandoned underground storage tanks (USTs)**, were discovered, three of which are depicted on historic Sanborn maps. The USTs are the likely the source of petroleum contamination. The release has migrated to Site soil and groundwater and does not extend beyond the 15,000 square foot area of the southwestern portion of the overall property.

### **6. Brownfields Site Definition:** The Site is (a) not listed or proposed for listing on the National Priorities List; (b) Not subject to unilateral administrative orders, court orders,

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<sup>1</sup> The Massachusetts Contingency Plan is the state's environmental regulation that provides for the protection of health, safety, public welfare and the environment by establishing requirements and procedures for the activities and cleanup of oil or hazardous materials

FY'20 EPA Brownfields Petroleum Cleanup Grant Application  
**Gas and Auto Service Station Site, Brickyard Village, Lynn, MA**

administrative orders on consent, or judicial consent decrees issued to or entered into parties under CERCLA and (c) not subject to the jurisdiction, custody, or control of the U.S. government.

**7. Environmental Assessment Required for Cleanup Proposals:**

A Phase II Environmental Site Assessment was performed in 2016, which included the collection and laboratory analysis of soil and groundwater. The results were documented in a MCP Phase I Initial Site Assessment and Tier Classification Report, dated March 28, 2018.

**8. Enforcement or Other Actions:** There are no known ongoing or anticipated environmental enforcement or other actions related to the Brownfields site for which funding is sought. There are no inquiries or orders from federal, state, or local government entities that the City is aware of regarding the responsibility of any party (including the applicant) for the contamination, or hazardous substances at the site, including any liens.

**9. Sites Requiring a Property-Specific Determination:** The property does not require a Property-Specific Determination.

**10. Threshold Criteria Related to CERCLA/Petroleum Liability**

**b. Property Ownership Eligibility-Petroleum Site.**

- 1) Current and Immediate Past Owners: The City of Lynn is the current Site property owner. Historic Site owners include R&H Oil Co., Autobody, Inc., and Pat's Auto Service/Gas Station.
- 2) Acquisition of the Site: The Site property was acquired through eminent domain.
- 3) No Responsible Party for the Site: The City of Lynn (i) **Did not** dispense or dispose of petroleum or petroleum or petroleum product, or exacerbated the existing contamination at the site; (ii) **Did not** own the site when any dispensing or disposal of petroleum (by others) took place; and (iii) **Did** take reasonable steps with regard to contamination at the site
- 4) Cleaned up by a Person Not Potentially Liable: The City of Lynn(1) **Did not** dispense or dispose of petroleum or petroleum or petroleum product, or exacerbated the existing contamination at the site. The Town **did** take reasonable steps with regard to contamination at the site by performing assessment activities and maintaining the Site to mitigate contaminant exposure.
- 5) Judgements, Orders, or Third Party Suits: The following **do not apply** to the site: (a) a judgment rendered in a court of law or an administrative order that would require any person to assess, investigate, or clean up the site; or (b) an enforcement action by federal or state authorities against any party that would require any person to assess, investigate, or clean up the site; or (c) a citizen suit, contribution action, or other third-party claim brought against the current or immediate past owner, that would, if successful, require the assessment, investigation, or cleanup of the site.
- 6) Subject to RCRA: The site is **not** subject to any order under section 9003(h) of the Solid Waste Disposal Act.

FY'20 EPA Brownfields Petroleum Cleanup Grant Application  
**Gas and Auto Service Station Site, Brickyard Village, Lynn, MA**

- 7) Financial Viability of Responsible Parties It is the City of Lynn's understanding that the former property owners do not have the financial capability to satisfy their obligations under federal or state law to assess, investigate, or clean up the site.

**11. Cleanup Authority and Oversight Structure**

- a. The site is currently designated as a MCP disposal site under Release Tracking Number (RTN) 3-34079 and enrolled in the MassDEP environmental program. All Cleanup activities will be conducted in adherence to the Massachusetts Contingency Plan (MCP), 310 CMR 40.000.
- b. Access to abutting or off-site properties not owned by the City are not anticipated for Site cleanup.

**12. Community Notification**

A public notice was published in The Lynn Daily Item newspaper on November 7, 2019 (see attachment). A public meeting was held on November 12, 2019. There were no attendees at the public meeting, with the exception of the City of Lynn representatives and Ransom Consulting, Inc. The attached sign-in sheet lists the meeting attendees. There were no public comments to the draft Cleanup Grant Application or the attached Draft Analysis of Brownfield Cleanup Alternatives (ABCA).

**13. Statutory Cost Share**

- a. The 20 percent cost share will be met through the use of labor, equipment and materials for cleanup restoration costs and for staff support for Cooperative Agreement Oversight, Community Engagement, Cleanup and Reporting.
- b. A hardship waiver of the cost share is not being requested.



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Matthew A. Beaton  
Secretary

Martin Suuberg  
Commissioner

December 7, 2018

U.S. EPA New England  
Brownfields Project Officer  
Attn: Alan Peterson  
5 Post Office Square, Suite 100  
Boston, MA 02109-3912  
Mailcode OSRR07-02

Subject: **STATE PETROLEUM ELIGIBILITY DETERMINATION**  
Commercial Street (Lynn Assessors' Map 52, Lot 742-33), Lynn,  
Massachusetts

Dear Mr. Peterson:

The Massachusetts Department of Environmental Protection (MassDEP) has been requested by the EDIC of Lynn ("EDIC") to make a determination as to whether the property listed above ("site" or "property") meets the definition of a Brownfield site and whether it is eligible to use U.S. Environmental Protection Agency ("EPA") Brownfields Assessment Grant funding, which was received during EPA's FY17 Petroleum Site Assessment grant round. The City of Lynn ("City") currently owns the site, which has been a park/playground since the 1970s. The site was formerly comprised of several smaller parcels consisting of industrial, commercial, and residential properties. Previous ownership of these parcels is not known at this time. The City would like to develop the property as a Middle School.

In March 2017, MassDEP assigned Release Tracking Number (RTN) 3-0034079 to this property due to a release of petroleum hydrocarbons and polynuclear aromatic hydrocarbons (PAHs) in soil and groundwater.

EPA requires that MassDEP make a determination that any petroleum-contaminated site seeking to use EPA Brownfield Assessment Grant funding meets certain eligibility requirements. MassDEP is following EPA guideline criteria for eligibility determinations. After a review of available records and the information provided by the City and EDIC's consultant, Ransom Environmental, MassDEP has determined that the following information supports a positive Petroleum Eligibility Determination:

1. Known petroleum contamination has been documented at the Site and has been reported to MassDEP. Historical information indicates that the property was formerly comprised of several separate parcels of land owned by several separate entities. Contamination of the

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: [www.mass.gov/dep](http://www.mass.gov/dep)

Printed on Recycled Paper

property likely occurred from the former uses of the site and not while the City has owned the property.

2. Viability of the City has not been demonstrated; however, the City did not own the property when petroleum was used and is therefore not a liable party.
3. The site is not currently being assessed or cleaned up using Leaking Underground Storage Tank (LUST) funds, nor is it subject to a response under the Oil Spill Act. For these reasons, the site is a "relatively low risk" site as defined by EPA.
4. Available records do not indicate that the applicant (EDIC) or the City have dispensed or disposed of or owned the property during the dispensing or disposal of petroleum. In addition, available information does not indicate that the applicant or the City have conducted activities that would exacerbate potential contamination.
5. There are no Judgments, Orders, or Third Party Suits that identify and require a responsible party to assess, investigate, or cleanup this property.
6. This property is not subject to any order under §9003(h) of the Resource Conservation and Recovery Act (RCRA).

**HOWEVER**, the following information is not known:

1. The immediate previous owners of the site.

**THEREFORE**, MassDEP is unable to make a positive or negative determination for the following requirement:

1. Liability/viability of immediate previous owners: The immediate previous owners are not known; therefore, their liability/viability cannot be determined.

Therefore, based on the above information, MassDEP has determined that the property meets the requirements set forth by the EPA for a **positive petroleum eligibility determination with conditions**. Specifically, if environmental assessments identify the immediate previous owners, a new PED determination to evaluate liability/viability of the previous owners will be required prior to conducting further assessment activities.

I hope that this information is helpful, and please feel free to contact Angela Gallagher at (508) 946-2790 if you have any questions or concerns.

Sincerely,



Paul Locke, Assistant Commissioner  
Bureau of Waste Site Cleanup

cc: Tracey Costa, LSP, Ransom Environmental  
Bill Bochnak, EDIC  
Joanne Fagan, Brownfields Coordinator, DEP-NERO

## **Attachment C.**

### **Community Notification Documents**

*Draft Analysis of Brownfields Cleanup Alternatives (ABCA)*

*Public Notice*

*Public Meeting Sign-In Sheet*



**Analysis of Brownfields Cleanup Alternatives-Preliminary Evaluation**  
**Former Gas and Auto Service Station**  
**Neptune Boulevard Park and McManus Field**  
**Parcel 052-742-033**  
**Lynn, Massachusetts**

## **I. Introduction & Background**

### **Site Location**

The Site comprises an approximate 55,000 square foot area along the southwestern portion of Neptune Boulevard Park and McManus Field in Lynn, Massachusetts, USA, (herein referred to as the “Site”) and referenced by the City Assessor as Parcel 052-742-033. Commercial Street abuts the Site to the west and the Massachusetts Bay Transit Authority (MBTA) railroad right of way abuts the Site to the south.

### Forecasted Climate Conditions

According to the Massachusetts Climate Change Adaption Report<sup>1</sup>, the impacts of climate change are wide-ranging and growing in severity in Massachusetts, with impacts from sea level rise, storm events, flooding, greenhouse gas emissions and changing weather patterns. As a coastal state, storm surges have broad implications and impacts to infrastructure, natural resources and ecosystems, including drinking water supplies. The financial impacts are expected to be very high.

### **Previous Site Use(s) and any previous cleanup/contamination**

The Site consists an approximate 55,000 square foot (SF) area developed as the southwestern portion of the 9-acre Neptune Boulevard Park and McManus Field, currently used as a public park and recreational area.

According to the historical documentation, the Site address was listed as 160-166 Commercial Street.

- From at least the late 1880s, the Site was developed as residential and commercial use.
- In the 1890s, the Site was occupied by a cutting board and wood turner manufacturer.
- In the early 1900s, the Site was occupied by a leather remnants company.
- From at least the 1930s to the 1940s, the Site was occupied by a gas station, with three tanks depicted in a historic Sanborn map. Occupants/tenants included R&H Oil Co.
- From the 1950s to the 1970s, the Site was occupied by a gas station, automotive service facility and autobody facility. Occupants/tenants included Autobody, Inc., Pat's Auto Service/Gas Station.

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<sup>1</sup> Climate Change Adaptation Report. Executive Office of Energy and Environmental Affairs and the Adaptation Advisory Committee. September 2011

- The Site was developed as a park and recreational area in the late 1970s.

Soil and groundwater assessment activities were performed at the Site in November 2016. Based on concentrations of petroleum hydrocarbons detected in soil exceeding applicable Massachusetts Contingency Plan (MCP) reporting concentrations, the Massachusetts Department of Environmental Protection (MassDEP) assigned Release Tracking Number (RTN) 3-34079 to the release. A Phase I Initial Site Investigation, Tier Classification and Phase II Scope of Work were submitted to MassDEP upon behalf of the City of Lynn in March 2018.

Under an EPA Brownfields Community-Wide Assessment Grant, a geophysical survey was performed in December 2018, which revealed the presence of six suspect underground storage tanks (USTs).

### **Site Assessment Findings**

Based on the results of Site assessment activities, concentrations of Volatile Petroleum Hydrocarbons (VPH) and Extractable Petroleum Hydrocarbons (EPH) are likely attributable to the suspect USTs associated with the former gas/service station. The MCP Disposal Site boundary measures an approximately 15,000 square foot (SF) area. However, the former UST area measures an approximately 2,500 SF area. Petroleum impacts extend from approximately 4 feet to 8 feet below ground surface (bgs) and restricted to the property boundary. Groundwater has been encountered at approximate depths ranging from 6 to 7 feet bgs.

### **Project Goal (Site reuse plan)**

The owner has established plans to clean up and redevelop the Site as a pump station, to mitigate the impacts of severe flooding that had impacted the target area.

### **Applicable Regulations**

Site Cleanup will be conducted pursuant to the Massachusetts Contingency Plan (MCP), 310 CMR 40.0000. Additional applicable local, state and federal regulatory requirements will be adhered to, including the appropriate procurement of contractors.

### **Applicable Cleanup Standards**

The applicable MCP Standards for the Site are Method 1 Soil Cleanup Standards and MCP Method 1 (S-1) Soil and Groundwater (GW-2/GW-3) Standards.

### **Cleanup Oversight Responsibility**

In 1993, Massachusetts created a model program that privatized the cleanup of hazardous waste sites in the Commonwealth. Licensed Site Professionals (LSPs) are authorized by the Commonwealth to work on behalf of property owners, operators, and other responsible parties to oversee the assessment and cleanup of contamination that has been released into the environment. LSPs are scientists, engineers, and public health specialists with significant professional expertise in oil and hazardous material contamination. LSPs are governed by the

Massachusetts Board of Registration of Hazardous Waste Site Cleanup Professionals, also known as the LSP Board. Assessment and cleanup activities are conducted pursuant to the Massachusetts Contingency Plan (MCP). The City of Lynn is conducting site cleanup.

## **Cleanup Alternatives**

### a. Description of Cleanup Alternatives

To address contamination at the Site, three different alternatives were considered including Alternative #1: No Remedial Action; Alternative #2, Cleanup and Post-Remedial Monitoring #3, Institutional Controls, Passive Containment

#### **Alternative #1: No Remedial Action**

- The “No Action” alternative assumes that no additional remedial efforts are implemented to address elevated concentrations petroleum hydrocarbons impacts at the Site. The “No Action” alternative can provide a basis for assessing the effects of implementing remedial actions; however, it does not directly reduce the toxicity, mobility or volume of impacted soils or sediment. This response action alternative does not reduce Site risks associated with groundwater that may be impacted in the future, and provides no additional protection to human health or public welfare. Additionally, the contaminants of concern are at levels that do not naturally attenuate and therefore “No Action” does would not reduce potential risk to human health and/or the environment in the long term.

#### **Alternative #2: Ex-Situ Remediation and Post-Remedial Groundwater Monitoring**

- **Soil excavation** is an effective approach for source removal. The primary purpose of is to remove impacted media, and thus control potential exposure risks. Excavation involves the removal of impacted soil that presents a potential direct contact risk, along with soil which may serve as a continuing source of petroleum hydrocarbon and VOCs to Site groundwater. The impacted soil is removed from its current setting and transported off-Site for contaminant removal, recycling and/or disposal. Soil excavation could potentially provide limited source removal and is feasible for shallow Site soils, including areas of future underground utilities.
- Groundwater **monitoring** is conducted as a measure to assess the effectiveness of the cleanup. Groundwater is collected from monitoring wells at area within and/or hydraulically downgradient of the cleanup area.

#### **Alternative #3: Institutional Controls, Passive Containment, Monitoring**

- **Institutional controls** are mechanisms to limit access to impacted media and include alternatives such as fencing, barriers, and Activity and Use Limitations (AULs) in the form of deed restrictions. While institutional controls do not eliminate contamination, they can provide an effective, low cost means of reducing exposure potential, and thus risk, if properly maintained and enforced. Institutional controls may be effective in mitigating exposure to VOC, petroleum hydrocarbon and metals-impacted soils in locations at which it may be infeasible to reach background conditions. Implementation of an AUL on a Site property to restrict access to impacted groundwater (other than as

“exposure pathway elimination measures” or to restrict access to drinking water) is not supported by MassDEP. However, AULs may be implemented to ensure that engineering controls be maintained to mitigate potential risk.

- **Passive Containment:** The primary purpose of containment technologies is to isolate impacted media, and thus control potential exposure risks. Passive containment involves placement of horizontal physical barriers, such as a cap, sealant or membrane, or vertical barriers such as a grout curtain, slurry wall, or sheet piling in the areas of contamination.
- **Monitoring:** Refer to Alternative #1

**b. Evaluation of Cleanup Up Alternatives**

*Effectiveness-Including Climate Change Considerations:*

1. **Alternative #1: No Remedial Action**

Alternative #1 is not effective in controlling or preventing the exposure of Site OHM to human or environmental receptors.

2. **Alternative #2: Ex-Situ Remediation and Post-Remedial Groundwater Monitoring**

Alternative #2 is effective at removing the sources of OHM and preventing the migration of OHM sources to human and environmental receptors. Groundwater monitoring is effective at assessing the success of the cleanup. Implementation of an AUL is an effective administrative control to mitigate potential impacts to receptors.

3. **Alternative #3: Institutional Controls, Passive Containment and Monitoring**

Although Alternative #3 mitigates direct exposure to contaminated soil, it does not remediate the OHM sources and does not prevent migration of OHM in groundwater to human or environmental receptors. Long-term groundwater monitoring is effective at assessing potential impacts to receptors. Implementation of an AUL is an effective administrative control to mitigate potential soil impacts to receptors.

*General Climate Consideration Notes:*

Storm water design will be incorporated as part of Site development. In addition, the cleanup design will include the implementation of storm water controls.

*Implementability:*

1. **Alternative #1: No Remedial Action and Monitoring**

- No remedial action is conducted and is readily implementable;
- Monitoring: There is low to moderate technical complexity associated with implementability.

2. **Alternative #2: Ex-Situ Remediation and Post-Remedial Groundwater Monitoring**

- Ex-Situ Technologies: There is moderate technical complexity associated with implementability.
- Monitoring: There is low to moderate technical complexity associated with implementability.

3. **Alternative #3: Institutional Controls, Passive Containment and Monitoring:**

- Institutional Controls: An AUL is readily implementable.
- Passive Horizontal Containment: There is moderate technical complexity associated with implementability.
- Monitoring: There is low to moderate technical complexity associated with implementability.

Cost:

1. **Alternative #1: No Remedial Action and Monitoring:** The estimated cost to implement this option is \$140K to \$160K
2. **Alternative #2: Ex-Situ Remediation and Post-Remedial Groundwater Monitoring**  
The estimated cost to implement this option is \$250K to \$300K.
3. **Alternative #3: Institutional Controls, Passive Containment and Monitoring:** The estimated cost to implement this option is \$75 to \$100K.

c. **Recommended Cleanup Up Alternative**

The recommended cleanup alternative is: **Alternative #2: Ex-Situ Remediation and Post-Remedial Groundwater Monitoring**

# CLASSIFIED

## LEGALS

### LEGAL NOTICE MORTGAGEE'S SALE OF REAL ESTATE

By virtue of and in execution of the Power of Sale contained in a certain mortgage given by Kenneth Patterson a/k/a Kenneth E. Patterson to Mortgage Electronic Registration Systems, Inc. acting solely as a nominee for America's Wholesale Lender, dated May 24, 2004 and registered at Essex County (Southern District) Registry District of the Land Court as Document No. 439964 and noted on Certificate of Title No. 71427 (the "Mortgage") of which mortgage U.S. Bank National Association as Successor Trustee to Bank of America N.A., successor by merger to LaSalle Bank National Association, as Trustee of the Zuni Mortgage Loan Trust 2006-0A1, Mortgage Loan Pass-Through Certificates, Series 2006-0A1 is the present holder by assignment from Mortgage Electronic Registration Systems, Inc. to Bank of America, N.A., successor by merger to LaSalle Bank National Association, as Trustee of the Zuni Mortgage Loan Trust 2006-0A1 dated May 12, 2009 registered at Essex County (Southern District) Registry District of the Land Court as Document No. 498804 and noted on Certificate of Title No. 71427. Assignment of mortgage affected by Land Court Order dated November 9, 2011 registered at Essex County (Southern District) Registry District of the Land Court as Document Number 525359, for breach of conditions of said mortgage and for the purpose of foreclosing the same, the mortgaged premises located at 88 Basswood Avenue, Saugus, MA 01906 will be sold at a Public Auction at 12:00 PM on December 2, 2019, at the mortgaged premises, more particularly described below, all and singular the premises described in said mortgage, to wit:

The land with the buildings thereon, situated in Saugus in the County of Essex, and Commonwealth of Massachusetts, bounded and described as follows:

EASTERLY by Aberdeen Avenue, one hundred twenty-five (125) feet;  
SOUTHERLY by Lot 4, as shown on the plan hereinafter mentioned, one hundred (100) feet;  
WESTERLY by lands now or formerly of the Town of Saugus and of Fred A. Eltonson et al., one hundred twenty-five (125) feet; and  
NORTHERLY by Basswood Avenue one hundred (100) feet.

All of said boundaries are determined by the Court to be located as shown upon plan numbered 29938-A, drawn by Henry Steiner, Surveyor, dated April 15, 1889, as modified and approved by the Court, filed in the Land Registration Office, a copy of a portion of which is filed with the Original Certificate of Title, 31351 in said Registry, and the above described land is shown as Lots 1, 2, and 3 thereon.

So much of the above described land as lies adjacent to said Aberdeen Avenue is subject to the right to slope as set forth in a taking by the Town of Saugus, duly recorded on June 19, 1935, in Book 3039, Page 31 in said Registry.

So much of said Lots 1 and 2 as is included within the limits of said Basswood Avenue is subject to the rights of all persons lawfully entitled thereto in an over the same.

For mortgagee's title see deed registered at Essex County (Southern District) as Document #365462 and Noted on Certificate of Title Number 71427.

The premises will be sold subject to any and all unpaid taxes and other municipal assessments and liens, and subject to prior liens and other enforceable encumbrances of record entitled to precedence over this mortgage, and subject to and with the benefit of all easements, restrictions, reservations and conditions of record and subject to all tenancies and/or rights of parties in possession.

Terms of the Sale: Cash, cashier's or certified check in the sum of \$5,000.00 as a deposit must be shown at the time and place of the sale in order to qualify as a bidder (the mortgage holder and its designee(s) are exempt from this requirement); high bidder to sign written Memorandum of Sale upon acceptance of bid; balance of purchase price payable in cash or by certified check in thirty (30) days from the date of the sale at the offices of mortgagee's attorney, Korde & Associates, P.C., 900 Chelmsford Street, Suite 3102, Lowell, MA 01851 or such other time as may be designated by mortgagee. The description for the premises contained in said mortgage shall control in the event of a typographical error in this publication.

Other terms to be announced at the sale.  
U.S. BANK NATIONAL ASSOCIATION as Successor Trustee to Bank of America N.A., successor by merger to LaSalle Bank National Association, as Trustee of the Zuni Mortgage Loan Trust 2006-0A1, Mortgage Loan Pass-Through Certificates, Series 2006-0A1

Korde & Associates, P.C.  
900 Chelmsford Street  
Suite 3102  
Lowell, MA 01851  
(978) 256-1500  
Patterson, Kenneth E., 16-025990

Item: November 7, 14, 21, 2019

### LEGAL NOTICE SAUGUS BOARD OF SELECTMEN PUBLIC HEARING

Notice is hereby given that the Saugus Board of Selectmen will conduct a public hearing on the application of:

AG Foods LLC d/b/a Angela's Coal Fired Pizza, 890 Broadway, for transfer of Beer & Wine Common Victualer's License & Entertainment License FROM: Angela's Coal Fired Pizza, LLC, 890 Broadway; and for change of manager TO: Alfonso Guayara -

This hearing is being held under MGL c.138 and the Town of Saugus Liquor Rules & Regulations.

This hearing will be held in the Town Hall Auditorium, 298 Central Street, on 11/20/19 at 7:25 PM.

Debra Panetta, Chairman  
Wendy L. Reed, Clerk  
Item: November 7, 2019

### PUBLIC NOTICE Draft EPA Brownfields Petroleum Cleanup Grant Application Neptune Blvd. Park-McManus Field 90 Commercial Street., Lynn, MA

A Draft EPA Brownfields Petroleum Cleanup Grant Application for the Neptune Park-McManus Field in Lynn, Massachusetts will be available for public review and comment.

The Draft Grant Application includes an Analysis of Brownfields Cleanup Alternatives (ABCA), which will be available for review at the Department of Public Works (DPW), 250 Commercial Street, Lynn, MA during business hours Mon, Wed, Thurs: 8:30 AM to 4:00 PM, Tues: 8:30 AM to 8:00 PM and Friday, 8:30 AM to 12:30 PM.

The spokesperson representing DPW on this Grant Application is Andrew Hall, DPW Commissioner, who can be reached by phone by appointment at the above address, by email at [ahall@lynne.ma.gov](mailto:ahall@lynne.ma.gov) and by phone at (781) 268-8000.

A public meeting to discuss the Cleanup Grant Application and to receive comments will be held on Tuesday, November 12, 2019, at 5:30 PM, at City Hall, Room 303, 3 City Hall Square, Lynn, MA.  
Item: November 7, 2019

## LEGALS

### NOTICE OF MORTGAGEE'S SALE OF REAL ESTATE

By virtue of and in execution of the Power of Sale contained in a certain mortgage given by Adesswa Vivian Smith, Sylvester Osazerwinde Osayande to New Century Mortgage Corporation, dated April 24, 2006 and recorded in the Essex County (Southern District) Registry of Deeds in Book 25612, Page 598, of which mortgage the undersigned is the present holder, by assignment from:

New Century Mortgage Corporation to U.S. Bank National Association, as trustee, recorded on September 25, 2008, in Book No. 28058, at Page 244

U.S. Bank National Association, as trustee to U.S. Bank National Association, as Trustee to J.P. Morgan Mortgage Acquisition Trust 2006-NC2 Asset Backed Pass-Through Certificates, Series 2006-NC2, recorded on February 5, 2009, in Book No. 26301, at Page 285

for breach of the conditions of said mortgage and for the purpose of foreclosing, the same will be sold at Public Auction at 3:00 PM on December 2, 2019, on the mortgaged premises located at 38 Chestnut Street, Lynn, Essex County, Massachusetts, all and singular the premises described in said mortgage.

TO WIT: That certain piece or parcel of land, and the buildings and improvements thereon, known as 38 Chestnut Street located in the City of Lynn, County of Essex, and Commonwealth of Massachusetts, and being more particularly described in a Deed recorded on 03/11/2003 at Public Auction at 3:00 PM on December 2, 2019, on the mortgaged premises located at 38 Chestnut Street, Lynn, Essex County, Massachusetts, For title reference see Deed recorded March 11, 2003 in Book 20327, Page 591

For mortgagee's title see deed recorded with Essex County (Southern District) Registry of Deeds in Book 20327, Page 591.

These premises will be sold and conveyed subject to and with the benefit of all rights, rights of way, restrictions, easements, covenants, liens or claims in the nature of liens, improvements, public assessments, any and all unpaid taxes, tax titles, tax liens, water and sewer liens and any other municipal assessments or liens or existing encumbrances of record which are in force and are applicable, having priority over said mortgage, whether or not reference to such restrictions, easements, improvements, liens or encumbrances is made in the deed.

### TERMS OF SALE:

A deposit of Twenty Thousand (\$20,000.00) Dollars by certified or bank check will be required to be paid by the purchaser at the time and place of sale. The balance is to be paid by certified or bank check at Harmon Law Offices, P.C., 150 California St., Newton, Massachusetts 02458, or by mail to P.O. Box 610389, Newton Highlands, Massachusetts 02461-0389, within thirty (30) days from the date of sale. Deed will be provided to purchaser for recording upon receipt in full of the purchase price. The description of the premises contained in said mortgage shall control in the event of an error in this publication.

Other terms, if any, to be announced at the sale.

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR J.P. MORGAN MORTGAGE ACQUISITION TRUST 2006-NC2, ASSET BACKED PASS-THROUGH CERTIFICATES, SERIES 2006-NC2  
Present holder of said mortgage

By its Attorneys,  
HARMON LAW OFFICES, P.C.  
150 California St.  
Newton, MA 02458  
(617)558-0500  
2016110189

Item: November 7, 14, 21, 2019

### PUBLIC NOTICE Draft EPA Brownfields Petroleum Cleanup Grant Application Former Whyte's Enterprise Laundry 83 Willow St., Lynn, MA

A Draft EPA Brownfields Cleanup Grant Application for the Whyte's Enterprise Laundry Site at 83 Willow Street in Lynn, Massachusetts will be available for public review and comment.

The Draft Grant Application includes an Analysis of Brownfields Cleanup Alternatives, which will be available for review at the Economic Development Industrial Corporation (EDIC) Lynn office at Lynn City Hall, 3 City Hall Square, Lynn, MA during business hours Mon, Wed, Thurs: 8:30 AM to 4:00 PM, Tues: 8:30 AM to 8:00 PM and Friday, 8:30 AM to 12:30 PM.

The spokesperson representing the on this Grant Application is Bill Bochnak, Project Coordinator, who can be reached in person by appointment at the above address, by email at [bbochnak@edidyn.org](mailto:bbochnak@edidyn.org) and by phone at (781) 581-9399.

A public meeting to discuss the Cleanup Grant Application and to receive comments will be held on Tuesday, November 12, 2019, at 5:30 PM, at City Hall, Room 303, 3 City Hall Square, Lynn, MA.  
Item: November 7, 2019

### LEGAL NOTICE SAUGUS BOARD OF SELECTMEN PUBLIC HEARING

Notice is hereby given that the Saugus Board of Selectmen will conduct a public hearing on amending the Town's Traffic Rules & Regulations Article V, Section 2. Parking Prohibited on Certain Streets:  
BY allowing parking on the right side of Wendell Street between Chestnut Street and Stocker Street.

This hearing will be held in the Saugus Town Hall Auditorium, 298 Central Street, on 11/20/19 at 7:30 PM.

Debra Panetta, Chairman  
Wendy L. Reed, Clerk  
Item: November 7, 2019



### Legal Notice

There will be a Tree Removal Hearing on **Friday, November 8, 2019 @ 8:30am** at the Recreation, Parks & Forestry Department office located at 50 Farm Avenue, Peabody, MA, for the removal of a Public Shade Tree(s) at the following location(s).

Address: 12 Bristol Road  
Peabody, MA 01960  
As per the petition of (Steve Miraglia)  
Per Order of Brian Grant, Tree Warden  
Item: October 31, November 7, 2019

## LEGALS

### NOTICE OF MORTGAGEE'S SALE OF REAL ESTATE

By virtue of and in execution of the Power of Sale contained in a certain mortgage given by Kathleen M. Heaphy to World Savings Bank, FSB, dated July 19, 2006 and recorded in the Essex County (Southern District) Registry of Deeds in Book 25946, Page 203, of which mortgage the undersigned is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing, the same will be sold at Public Auction at 2:00 PM on December 9, 2019, on the mortgaged premises located at 21 Merrill Avenue, Lynn, Essex County, Massachusetts, all and singular the premises described in said mortgage.

TO WIT: The land with the buildings thereon situated in Lynn, Essex County, MA known and being numbered 21 Merrill Avenue: Being LOT 41 on a plan of land of the heirs of Aaron Burnill, drawn by L. K. Harris, Surveyor, dated April 15, 1889, and recorded with Essex South District Deeds in Plan Book 5, Plan 15, Containing 2,057 sq.ft. of land, Being the same premises conveyed to the herein named mortgagor (s) by deed recorded with Essex South District Registry of Deeds in Book 20959, Page 589.

For mortgagee's title see deed recorded with Essex County (Southern District) Registry of Deeds in Book 20959, Page 589.

These premises will be sold and conveyed subject to and with the benefit of all rights, rights of way, restrictions, easements, covenants, liens or claims in the nature of liens, improvements, public assessments, any and all unpaid taxes, tax titles, tax liens, water and sewer liens and any other municipal assessments or liens or existing encumbrances of record which are in force and are applicable, having priority over said mortgage, whether or not reference to such restrictions, easements, improvements, liens or encumbrances is made in the deed.

### TERMS OF SALE:

A deposit of Five Thousand (\$5,000.00) Dollars by certified or bank check will be required to be paid by the purchaser at the time and place of sale. The balance is to be paid by certified or bank check at Harmon Law Offices, P.C., 150 California St., Newton, Massachusetts 02458, or by mail to P.O. Box 610389, Newton Highlands, Massachusetts 02461-0389, within thirty (30) days from the date of sale. Deed will be provided to purchaser for recording upon receipt in full of the purchase price. The description of the premises contained in said mortgage shall control in the event of an error in this publication.

Other terms, if any, to be announced at the sale.

WELLS FARGO BANK, N.A., SUCCESSOR BY MERGER TO WELLS FARGO BANK SOUTHWEST, N.A., F/K/A WACHOVIA MORTGAGE, FSB, F/K/A WORLD SAVINGS BANK, FSB  
Present holder of said mortgage

By its Attorneys,  
HARMON LAW OFFICES, P.C.  
150 California St.  
Newton, MA 02458  
(617)558-0500  
17203

Item: November 7, 14, 21, 2019



### PEABODY CITY COUNCIL LEGAL AD

**NOTICE OF PUBLIC HEARING**  
Notice is hereby given that the City Council of the City of Peabody, acting as the Special Permit Granting Authority, will conduct a public hearing on **THURSDAY EVENING, NOVEMBER 14, 2019, at 7:30 P.M.**, in the Frank L. Wiggin Auditorium, City Hall, 24 Lowell Street, Peabody, MA on the application from **CHRISTINE LANDER**, 79 Glenway Avenue, Peabody, MA **FOR A SPECIAL PERMIT SEEKING TO ALLOW FOR A HAIR SALON at 99 LYNN STREET, Peabody, MA** as filed in accordance with Sections 4-25, 6-1 and 15-7 of the Peabody Zoning Ordinance.

PEABODY CITY COUNCIL  
COUNCLLOR JON G. TURCO  
CITY COUNCIL PRESIDENT

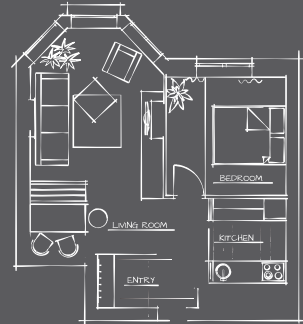
Timothy E. Spanos  
City Clerk

Item: October 31, November 7, 2019



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## November 12, 2019

Former Gasoline and Automotive Service Station, Neptune Park and McManus Field, Parcel 052-742-033, Lynn, MA

[illegible]



## Application for Federal Assistance SF-424

\* 1. Type of Submission:

- ☐ Preapplication  
☒ Application  
☐ Changed/Corrected Application

\* 2. Type of Application:

- ☒ New  
☐ Continuation  
☐ Revision

\* If Revision, select appropriate letter(s):

\* Other (Specify):

\* 3. Date Received:

12/02/2019

4. Applicant Identifier:

5a. Federal Entity Identifier:

5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

\* a. Legal Name:

City of Lynn

\* b. Employer/Taxpayer Identification Number (EIN/TIN):

\* c. Organizational DUNS:

0260925560000

d. Address:

\* Street1:

Lynn City Hall - Room 405

Street2:

3 City Hall Square

\* City:

Lynn

County/Parish:

Essex

\* State:

MA: Massachusetts

Province:

\* Country:

USA: UNITED STATES

\* Zip / Postal Code:

01901-1028

e. Organizational Unit:

Department Name:

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

\* First Name:

Andrew

Middle Name:

\* Last Name:

Hall

Suffix:

Title:

DPW Commissioner

Organizational Affiliation:

\* Telephone Number:

781-268-8000

Fax Number:

\* Email:

ahall@lynnma.gov

## Application for Federal Assistance SF-424

### \* 9. Type of Applicant 1: Select Applicant Type:

C: City or Township Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

### \* 10. Name of Federal Agency:

Environmental Protection Agency

### 11. Catalog of Federal Domestic Assistance Number:

66.818

CFDA Title:

Brownfields Assessment and Cleanup Cooperative Agreements

### \* 12. Funding Opportunity Number:

EPA-OLEM-OBLR-19-07

\* Title:

FY20 GUIDELINES FOR BROWNFIELD CLEANUP GRANTS

### 13. Competition Identification Number:

Title:

### 14. Areas Affected by Project (Cities, Counties, States, etc.):

Add Attachment

Delete Attachment

View Attachment

### \* 15. Descriptive Title of Applicant's Project:

City of Lynn cleanup grant program

Attach supporting documents as specified in agency instructions.

Add Attachments

Delete Attachments

View Attachments

**Application for Federal Assistance SF-424****16. Congressional Districts Of:**

\* a. Applicant

6th

\* b. Program/Project

6th

Attach an additional list of Program/Project Congressional Districts if needed.

Add Attachment

Delete Attachment

View Attachment

**17. Proposed Project:**

\* a. Start Date:

10/01/2020

\* b. End Date:

09/30/2023

**18. Estimated Funding (\$):**

* a. Federal	300,000.00
* b. Applicant	60,000.00
* c. State	0.00
* d. Local	0.00
* e. Other	0.00
* f. Program Income	0.00
* g. TOTAL	360,000.00

**\* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- ☐ a. This application was made available to the State under the Executive Order 12372 Process for review on .
- ☒ b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- ☐ c. Program is not covered by E.O. 12372.

**\* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes," provide explanation in attachment.)**☐ Yes ☒ No

If "Yes", provide explanation and attach

Add Attachment

Delete Attachment

View Attachment

**21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

☒ \*\* I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

**Authorized Representative:**

Prefix:

\* First Name:

Andrew

Middle Name:

\* Last Name:

Hall

Suffix:

\* Title:

DPW Commissioner

\* Telephone Number:

781-268-8000

Fax Number:

\* Email:

ahall@lynnma.gov

\* Signature of Authorized Representative:

Pauline Sabino

\* Date Signed:

12/02/2019